

RICE GUILTY GETS BUT A SHORT TERM

Ely Central Swindler Will Do Seven or Eight Months on the Island.

THE OTHERS ARE LET GO

District Attorney Says Sentence Is Sufficient Notice to Others in the Same Trade.

The trial of George Graham Rice, Bernard H. Scheffels and the other members of the brokerage firm of B. H. Scheffels & Co., charged with using the mails to defraud in the sale of Ely Central Copper and other mining stocks, had lasted more than four months when it came to a sudden termination yesterday afternoon. Rice and Scheffels pleaded guilty and the four other defendants were discharged.

Judge Ray sentenced Rice to serve a year in the penitentiary on Blackwell's Island and suspended sentence on Scheffels. Rice will have to serve only between seven and eight months, for Judge Ray arranged that he should be credited with the two months or more that he has already served in the Tombs since his arrest following the jury bribing disclosures. In addition Rice will get five days off each month of his sentence for good behavior.

After making his plea, Rice, who is a magazine author and a fluent writer, said that his resources had been exhausted by the length of the trial and he was in consequence unable to keep his witnesses here any longer.

"B. H. Scheffels & Co. did nothing," he said, "except what is and commonly has been practised in Wall Street by the most reputable Stock Exchange houses. I know the methods were fair and honest as measured by the best standards of the Street. We, however, committed the unspeakable and unforgotten crime of attacking without fear powerful interests in the mining securities market. I pleaded guilty only when my resources and those of my friends had been exhausted. I was up against it. The Government has more money than it knows what to do with, and I was down to my last cent."

The trial began on October 23, 1911. The Government consumed seven weeks in putting in its evidence and the defence has used up between eight and nine weeks and has called only eleven witnesses. The Government called seventy-five witnesses, and the defence called thirty-five. The record of the trial covers 3,547 typewritten pages, and the documentary evidence would fill two or three vans. Assistant United States Attorneys Dorris and Pitkin, in addition to C. Thomas, a mining expert, and Samuel Herschenstein, the filing clerk, and the accountants and special agents, have been seen in constant attendance since October. The case has cost the Government to date nearly \$50,000, and the manner in which the trial has been allowed to drag has seriously affected the other work of the District Attorney's office and the courts.

In passing sentence on Rice Judge Ray said: "Many will think that the sentence of the court is not adequate to the offence to which you have entered the plea of guilty, but the court takes the responsibility, remembering that 'Vengeance is mine, I will repay, saith the Lord,' and that the certainty and not the severity of the punishment is the most certain preventive of crime. In your case, the terms of imprisonment essential to either the vindication of the law or to the protection of society. The law is vindicated and the prosecution by the Government fully justified."

United States Attorney Wise issued a statement in which he said that he felt the importance of having the business of the defendants adjudicated to be a crime was of more importance to the community than the question of how much or what character of punishment should be meted out to Rice and the others. He said:

"The defendants doing business as brokers sought to create a market for certain stocks of which they held large blocks under option. These stocks they sought to sell to their customers at inflated market prices with a secret profit to themselves. These and other similar practices with which they were charged have been common in this city. Those engaged in such practices have not heretofore been prosecuted and it has not hitherto been supposed to be practicable to prosecute them under the Federal statutes. The case has been regarded by the Government as a test case and one of far reaching importance in that aspect. Its successful termination has established the criminal responsibility of brokers for practices which it has been commonly supposed would expose them at the most to civil liabilities. The prosecution, I am informed, has already had considerable effect in this community. The resulting conviction should have a still further effect."

Taking into consideration the expenditure of time and money that would be involved in the completion of a trial the end of which was not yet in sight, the hardship to the jurors in the case and the likelihood of some casualty that would result in a mistrial, the Government has felt it would not be justified in opposing the plea of the principal offender.

The defendants who were discharged are Ralph F. Waterman, Charles F. Belser, Charles B. Stone and J. P. Delaney.

ICE PRISON OF A WARM HEART.

Mrs. Harry C. Davidson Will Let Her Husband Get a Divorce.

Harry C. Davidson, who is president of the Savoy Hotel Company at Thirty-first street and Broadway and a member of the Manhattan Club, filed suit yesterday for a divorce from Sarah Davidson. In one of the papers filed in the case the defendant was described as "Mary Davidson," said name being fictitious, the real name being unknown.

Mrs. Davidson, who now resides with the papers at the Hotel Narragansett, 208 Broadway, said yesterday that she would make no defence.

"I tried to be a true wife and my husband had no right to neglect me," said the defendant. "He had no right to go upon the theory that marriage ties are bonds of steel and that a young woman can keep her heart warm in a prison of ice. She is going to marry somebody else when she gets her decree."

Republican Ball Tonight.

Charles W. Nahrwald, the chairman of the entertainment committee of the Republican Club of the Nineteenth Assembly District, has finished his plans for the club's annual entertainment and ball at the Amsterdam Opera House tonight.

The courtly and handsome friend William B. Bennett, brilliant and militant, will be there, says the advance notice. Alexander Brown, the leader of the district, will proudly and happily lead the grand march, followed by the stalwart and hard captain, the handsome men and beautiful women of the district.

DR. MACKEN DIES IN HALLWAY.

Fell in Street and Was Carried There in the Belief That That Was His Home.

Dr. Arthur L. Macken, a specialist on diseases of the eye, ear and throat, whose office was at 103 East Sixteenth street, Manhattan, and whose home was in Staten Island, was found dead yesterday in the hallway of a dwelling at 955 De Kalb avenue, Brooklyn.

A few hours before the finding of the body Dr. Macken had been seen sitting on his face by Dr. Samuel Rubin, a druggist at 951 De Kalb avenue, who thought he recognized the physician as a customer who lived at 955 De Kalb avenue. With the assistance of Victor Goldberg, a neighbor, he carried the doctor to that dwelling. After laying him in the hall Dr. Rubin rang an upstairs bell, believing that the occupants would investigate and come across him. This was not done, and when John Ivers, the janitor, stumbled over Dr. Macken lying on the floor, he called for Ambulance Surgeon W. J. Decker of the Bushwick Hospital said that he had been dead for at least four hours.

After the body was taken to the Vernon avenue police station the clothing was searched. Business cards were found, 17 cents, a pair of eyeglasses and a letter from Mrs. Carrie Smith of 100 Lewis avenue, Brooklyn. Mrs. Smith later identified the body and said that Dr. Macken was the family physician and a friend of her husband. She said that Dr. Macken, who was 40 years old and lived at 103 Westerville avenue, New Brighton, Staten Island, had called at her house on Wednesday. He was greatly depressed and referred to some family trouble.

An autopsy showed that Dr. Macken died of hemorrhage of the brain. Dr. Macken was the husband of Mrs. Madge Macken, nee Irving, daughter of John Irving, Sr., a retired silk manufacturer of 62 Westerville avenue, New Brighton, Staten Island. For the last seven months the Mackens have been separated. About the time of the separation Mrs. Macken went to the Magistrate's Court in Stapleton and got a summons for her husband, charging him with abandonment and non-support. When the case came up before Magistrate Handy two weeks later neither Mrs. Macken nor her husband appeared and the complaint was dismissed.

Mrs. Macken and her three children live with her father. When told of Dr. Macken's death Mrs. Macken refused to speak of him.

CHAMP CLARK IS 62 YEARS OLD.

His Birthday Celebrated by a Monster Party in Convention Hall.

WASHINGTON, March 7.—Speaker Champ Clark was 62 years old to-day. The event was celebrated by a monster birthday party in Convention Hall, which was attended by 10,000 people. The House paused in its labors a few minutes this morning to congratulate the Speaker and wish him many happy returns. Representative Rainey of Illinois, Democrat, delivered a eulogy of the Speaker and his public work. Uncle Joe Cannon added a word to the general felicitations showered on the presiding officer of the House.

"No one could be more forceful in the White House," said Mr. Clark, said Uncle Joe. "At times I have felt his opposition keenly, but his is a manly contest; he always strikes above the belt."

"I did not even get a collar for my Missouri houn," exclaimed the Speaker smiling, saying that no flowers or birthday gifts were received. This was at noon.

Just after the House adjourned late this afternoon Speaker Clark was asked to tarry a moment. He was informed that the House pages had "chipped in" and had purchased a bunch of carnations, which were handed to the Speaker by Representative Burnett of Alabama with the compliments of the pages.

"These boys hope that you will soon reach the White House," said Mr. Burnett. "If you do all they ask is to be given consideration for places in your Cabinet or other appointments."

Responding, the Speaker said it made him very happy to be remembered by the pages. "The philosophy of life," he said, "is to do well the task at hand. A boy who can make good as a page is assured of success in life. I have never lived in the White House, as suggested by Mr. Burnett, you may rest assured that all of you will be welcome there."

NEW "JAWBONE OF AN ASS."

Clark Will Read Political "Poem" by Evangelist in House To-day.

WASHINGTON, March 7.—"The Jawbone of an Ass," a political "poem" just published by a local evangelist, W. A. Cuddy, is to be read in the House to-morrow by Representative Clark of Florida, who delights in trouble. Mr. Clark thinks this brief and modern version of the story of Samson is worthy of being incorporated in the imperishable records of the Government. He gave it out to-day as follows:

Once, in a far off country, so I've heard the old folks say,
Lived a man named Samuel Samson, unforgotten to this day.

And Samson loved a maiden—Delilah was the name—
And Samson slaughtered thousands with the jawbone of an ass.

Now Samson tore up lions and lugged off the same public office or party position.

And Samson tore down temples, so history relates;
And Samson was the strongest man that ever trod the earth.

He's the boy that killed his thousands with the jawbone of an ass.

But all this happened long ago and the jawbone of an ass is in space.

We've now another wonder who has taken Samson's place.

He's Big Stick, the trust buster—there's no other in his class.

He can take to millions people with the jawbone of an ass.

He knows how to kill a kitten, choke a chicken, halt a bear.

He can stab a man in prison; shoot another in the back.

Upon unclean citizens bring his stick down with a will.

All hail to our trust buster, breaking trusts like window glass.

While roaring, ranting, rattling with his jawbone of an ass.

BALLOT DECISION UPHELD.

Court of Appeals Rules Candidates May Be Named More Than Once.

ALBANY, March 7.—The Court of Appeals affirmed to-day a decision of the Appellate Division that the Board of Elections of New York city, in providing ballots for the spring primaries, shall pay no attention to the provision of law that the name of a candidate shall not appear more than once on the ballot as a candidate for the same office.

The Appellate Division's opinion rejecting the provision permitting the use of the party emblem as the party committee emblem on the ballot is also sustained.

MacKay Estate More Than \$2,000,000.

ENGLWOOD, N. J., March 7.—The will of Donald MacKay, who died suddenly on Thursday last week in a station of the Hudson tunnel, will be offered for probate in New York city to-day.

The estate is figured at more than \$2,000,000. One-third of the estate is to be paid to MacKay's wife, Mrs. Jennie L. MacKay. One-half of this is to be held in trust. Two-thirds are to be divided equally among the children of Mr. MacKay. Mr. MacKay of Englewood and Miss Jennie L. MacKay, one-half in each case to be held in trust.

\$33.00

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March 1 to April 15

Variable Routes

Full particulars at ticket office

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R. M. JOHNSON, General Agent,
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WOOLLEN TRUST FACES INQUIRY BY CONGRESS

Lawrence Strike Disclosures Lead Committee to Plan Investigation.

PUBLIC HEARINGS CLOSE

Missionary Upholds Mill Owners, Saying That the Work Did Not Harm Children.

WASHINGTON, March 7.—An inquiry into the operations of the American Woollen Company, commonly known as the woollen trust, will be recommended by the House Committee on Rules as a result of the disclosures during the last week in connection with the strike at Lawrence, Mass.

The inquiry to be proposed will bear on the organization of the American Woollen Company, its capitalization and the labor conditions in the various factories that compose the concern.

The hearings of the Rules Committee in the last week were based on two resolutions providing for an investigation into the causes of the Lawrence strike, one presented by Representative Wilson of Pennsylvania, a former labor leader, and the other introduced by Representative Berger of Wisconsin, the Socialist member.

A substitute resolution will be prepared and reported by the committee. It will propose a thorough inquiry into the factory end of the woollen industry and a comprehensive research into the corporate management of the American Woollen Company, dealing with the recent strike only as an incident.

An inquiry into the affairs of the woollen trust has been under consideration of the House Democrats since the beginning of the session. Long before the outbreak at Lawrence a resolution of inquiry was offered, only to be pigeonholed in the Committee on Rules. The hearing of the strikers, their children and the municipal authorities of Lawrence has convinced the majority of the committee that an investigation along broad lines should be authorized.

The public hearings on the Lawrence strike came to an end to-day. Representatives of the American Woollen Company gave testimony. Before they were called the Rev. Carl Carter was put on the stand. Mr. Carter is a missionary of Lawrence, whose salary is paid by the mill owners. He expressed the opinion that the Lawrence strike was the result of the children in the mills. He said it was better for them to be so occupied than to be running the streets.

He defended the mill owners, however, saying that they had never encouraged the employment of children.

The committee has cross-examined closely every witness connected with the arrest of the women and children at the Lawrence railroad station, and City Solicitor Murphy, who prosecuted the women and children, was on the stand to explain the actions.

Murphy declared that under the "neglected children's law" of Massachusetts he believed the police had a right to arrest the children. He explained in detail the operation of the law and asserted that the children were "neglected" in that they were going out of the state to places where they might fall under evil influence.

"Your sole object in these prosecutions, then, was to save the children?" asked Representative Stanley.

"Yes."

Under a severe cross-examination by Mr. Stanley, Murphy was slightly confused in his efforts to fit the neglected children law to the cases of the children, accompanied by their parents who were at the station.

The Rev. Mr. Carter discussed the movement organized by the women and churches to care for destitution among the strikers and of the work done along these lines. He gave several instances of poverty and destitution, declaring that teachers in the school found children coming to classes hungry. As to sending children from Lawrence the pastor said the children found no fault with the strike plan as an opportunity to secure a vacation.

"One friend of mine heard one little girl talking to another on the streets of Lawrence about this matter. He said: 'She told her little friends: 'If you want to go to New York wear your worn dress and leave your mittens at home. If you haven't any torn dress tear it yourself. Then they'll take you.'"

He said that after the first children were sent away he received complaints from several parents that the children were not being well treated. He had been requested, he said, to get some of the children back.

"This strike began in terror," said the missionary, "and it was called the people rushed through the streets, broke down the mill gates, overpowered the watchmen, rushed through the mills, and took women and girls from their work. Some of the girls faint."

MAY SOON SETTLE STRIKE.

President Wood and Strikers Have Profitable Conference.

LAWRENCE, Mass., March 7.—A committee of nine strikers leaders who conferred with President Wood of the Woollen company at the State House to-day made a favorable report to the strikers to-night. They said that Mr. Wood had informed them that his recent offer of a wage increase meant 5 per cent. additional pay to all operatives receiving more than \$15 a week and that the increase meant from 12 to 15 per cent. more for those receiving less than \$15 a week. The prospects of a settlement are bright.

The American Woollen Company made a new statement to the committee clarifying the wage advance notice, which had been misunderstood by the strikers. The new notice reads as follows:

"A readjustment of wages will be made upon a comparative basis as to occupations, involving increases in the rates now paid by the hour and by the piece."

"Such advances will be suitably adjusted according to the classes of workers and their earnings and in no case to be less than 5 per cent. The average increase to be not less than 7 per cent. over the schedule in effect March 1, 1912."

This is a statement more in detail under which our employees are now working, in accordance with notice posted March 1, 1912."

Thousands of textile strikers thronged the streets early to-day and created such disturbances that the police force and the remaining companies of militia were required to disperse them.

Fifteen men and one woman were arrested on charges of incitement, assault or disturbance. The rioting was not confined to any part of the city, but it developed its ugliest aspect in the vicinity of Appleton and Lawrence streets shortly after a detachment of four-hundred strikers had been sent from the city for a trip to Philadelphia.

Daniel O'Connell, a mill operative, was slashed in the neck with a knife and the clothing of Joseph F. Tobin, a policeman, was cut while he was dispersing a crowd in Water street.

O'Connell, going to work, was held up by three men, who tried to persuade him to go home. He persisted, and during the scuffle which followed he saved his hands were held by one of the trio while another attacked him with a knife.

Features of Special Interest in THE SUN NEXT SUNDAY

ERICSSON'S LETTERS TELL OF THE MONITOR

In THE SUNDAY SUN appears an interesting contribution to the literature of the Civil War—a resume of various letters written by John Ericsson, the inventor and builder of the little "cheesebox on a raft," while the boat was under construction at Greenpoint. The story of how the Monitor, after defeating the Merrimack in the famous fight of fifty years ago, was finally lost while en route from Hampton Roads to Beaufort, N. C., is also told by a survivor.

LONELY CABLE STATION OF THE PACIFIC

The story of Midway Island, half way across the Pacific, important chiefly as a relay station of the Commercial Pacific Cable. It is inhabited by two dozen men and women—cable operators and their wives—the breaks in whose existence are furnished mostly by the regular visits of the supply ships. Midway is graphically described in THE SUN next Sunday, and the article is illustrated from photographs recently made there.

NEW ART CENTRE PROPOSED FOR THE CITY

A page drawing by Vernon Howe Bailey will be printed in THE SUNDAY SUN showing how, by the elimination of the lower receiving reservoir, a new and magnificent art centre may be created in Central Park. The drawing also pictures the relation of the proposed buildings to the Metropolitan Museum of Art.

A NEW "JOURNAL OF MARIE BASHKIRTSEFF"

The author of one of the most talked of autobiographies ever written began a diary when she was about twelve years old. For the three succeeding years she noted her impressions, enthusiasms and ambitions, and portions of this diary have been translated for THE SUNDAY SUN. From this article may be gained a series of pictures of Marie Bashkirtseff's childhood days, the volume really preceding the "Journal" that made her famous.

THE TRAGEDY OF TOLSTOY The Story of His Flight From Yasnaya Polyana

By Herman Bernstein

THE SUN will publish next Sunday for the first time a striking account of the causes of the great Russian's departure from his home at the age of 82. Tolstoy's own description of his conflicts and struggles in his home will prove a revelation to all who are interested in the life and writings of one of the most remarkable figures in history.

A HOLDUP ON THE AMAZON

Algot Lange, the young Danish author of "In the Amazon Jungle," has written a description for THE SUNDAY SUN of the manner in which a Government launch was held up and robbed of its treasure, and of the part taken in the attack by a picturesque Mangeroma Indian chief, Arara, with a blowgun. This story of adventure along South America's great river is one of the notable features in THE SUN next Sunday.

NEW YORK'S NEW ART CREATIONS

Most of the newer Fifth avenue commercial structures are enriched with carving specially designed for the ornamentation of business buildings. This method of decoration for structures of this sort is of comparatively recent origin, and may be regarded as the beginning of a new era of art creation for New York. Some of the more notable of these carvings are described and illustrated

IN NEXT SUNDAY'S SUN

MRS. HILL AND ACTOR TEARLE SAIL AWAY

She Is Roberta Menges-Corwin-Hill and He Is the Well Known Actor.

MRS. TEARLE LEFT BEHIND

Actor's Mother, Minnie Conway Levy, Ran Away With His Father Many Years Ago.

Mrs. Roberta Menges-Corwin-Hill, who spent several days in the Tombs and paid a fine of \$2,000 for smuggling a sable coat into this port, and who has been banished yesterday at a meeting in 50 Church street, where the demands were made for the return of the actress, Mrs. Hill, who had been living at the Van Cortlandt, went thence to the King Edward.

On Monday "Mr. and Mrs. Turner" left the King Edward and went to Boston. Mrs. Hill called up the Garrick that afternoon from Reims and asked if her husband had reported for rehearsal. This dispatch from Tearle was read to her: "Impossible to play to-night. Sorry, but I cannot. I hope you will get there right."

Louis Mann said that the visits of Mrs. Hill to the theatre had attracted general attention and that she had been back of the stage to see Tearle. Mrs. Tearle went to Mr. Mann on Monday and asked where her husband was and Mr. Mann said he did not know, whereupon Mrs. Tearle said she believed Mrs. Hill had kidnapped him. Mrs. Tearle pursued the pair to Boston with detectives, but did not find them. The apparent object of the Boston trip was to throw the sleuths off the scent. Mrs. Tearle left Reims on Tuesday night and registered on Wednesday afternoon at the Martha Washington, where a friend, Miss A. Wright, has apartments. They were girlhood friends at Glens Falls, this State.

The report of the infatuation of Tearle has revived memories of a similar romance that interested New Yorkers more than a quarter of a century ago. The mother of the famous Mrs. Conway, who for many years was manager of the Park Theatre in Brooklyn, Minnie Conway, who went on the stage as a young woman, married Jules Levy, a well known cornet player of his time. The leading man at Wallack's Theatre in those days was Osmund Tearle. He was one of the matinee heroes of those days, who came in succession to Harry Montagu, and his successor was in turn Kyrie Bellew. One day the town awoke to learn that the brunette, Minnie Conway Levy, had bolted to Europe with Osmund Tearle. He was married, but the two went to England and after a while Levy got a divorce from his wife. The couple came back as Mr. and Mrs. Tearle to appear in Wallack's Theatre at Thirty-first street and Broadway when Henry E. Abbey took the house for a stock company with his wife, Florence Gerard, as leading lady. At the close of this season Mr. and Mrs. Tearle returned to England and were never known again over here. Mrs. Tearle died there some years ago and her husband survived her only a short time.

Conway Tearle is the son of Mr. and Mrs. Tearle. He was called by his mother's maiden name. He has been in the country for several years. He is especially successful in the role of the polished villain and appeared to great advantage not only in "Elevating a Husband" but in "The Rack," which was acted earlier in the season at Brady's Playhouse.

Train Snowed In for Three Days.

LEAVENWORTH, Kan., March 7.—A Leavenworth and Western passenger train, which was stalled in snowdrifts for three days near Clay Center, reached here this morning. The crew had subsisted on milk and eggs.

LOW HEADS CIVIC FEDERATION.

Annual Meeting Closes With the Election of Officers.

WASHINGTON, March 7.—The annual meeting of the National Civic Federation ended here to-day, officers for the next year being elected.

The principal subject of discussion was the regulation of corporations. Talcott Williams, secretary of the department, filed a report which told of the endorsement by public opinion of the Sherman anti-trust law through a poll undertaken by the federation, resulting in 16,000 answers, the largest return ever made on an economic question.

In the course of an address John Hays Hammond said there was little question that the tariff had been overemphasized as a factor in our social and industrial welfare.

"It is true that it is a question of the greatest importance and should be handled in the most scientific manner," said Mr. Hammond. "I think it should be taken entirely outside of the realm of politics, but it is the common habit nowadays to attribute any economic evil which presents itself to the fact that we have a high protective tariff."

Officers of the federation were elected as follows: Seth Low, president; Samuel Gompers, vice-president; Ellison A. Smythe, vice-president; Benjamin Ide Wheeler, vice-president; Isaac N. Seligman, treasurer; Ralph M. Easley, chairman of the executive council; John Hays Hammond, committee on organization; William R. Wilcox, employers' welfare department; Alton B. Parker, department on uniform legislation; Nicholas Murray Butler, industrial economics department; August Belmont, department of compensation and industrial accidents; George W. Perkins, wage earners' insurance department; Emerson McMillan, department of interstate and municipal utilities; Mrs. John Hays Hammond, woman's welfare department; and E. A. R. Seligman, taxation department.

To Exhibit Architectural Competitive Drawings.

The American Group of the Société des Architectes Diplômés par le Gouvernement in Paris will hold a public exhibition at the rooms of the Société des Beaux Arts Architectes, 16 East Thirty-third street, from Tuesday, March 5, to Sunday, March 10, inclusive, of the architectural drawings presented in competition for the Perry Memorial at Put in Bay, Ohio, for the Portland, Ore., Auditorium and for the Porter Memorial Gateway at New Haven, Conn. The exhibition will be free and will be open from 10 A. M. until 6 P. M. daily, including Sunday.